

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. Jermaine Domminick Howard

Docket No. 7:11-MJ-1212-1RJ

Petition for Action on Probation

COMES NOW C. Lee Meeks, Jr., probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Jermaine Domminick Howard, who, upon an earlier plea of guilty to Driving While Impaired, in violation of 18 U.S.C. § 13 assimilating N.C.G.S. 20-138.1, was sentenced by the Honorable Robert B. Jones, Jr., U.S. Magistrate Judge, on June 14, 2012, to a 12 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
2. The defendant shall serve 30 days imprisonment as arranged by U.S. Probation, to be served intermittently and shall abide by all rules and regulations of the designated facility
3. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
4. The defendant shall surrender his North Carolina driver's license to the Clerk of this Court for mailing to the North Carolina Division of Motor Vehicles and not operate a motor vehicle on the highways of the State of North Carolina except in accordance with the terms and conditions of a limited driving privilege issued by the appropriate North Carolina Judicial Official.
5. The defendant shall participate in a drug/alcohol program as recommended by the supervising probation officer.

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RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: Since being placed on probation, the defendant has reported as directed, satisfied the court indebtedness, and not received any criminal charges. Additionally, Howard obtained a substance abuse assessment that recommended he complete 20 to 39 hours of substance abuse counseling. He has completed 15 days of the 30-day term of custody ordered by the court.

On January 30, 2013, the defendant was treated for abdominal pain at Onslow Memorial Hospital in Jacksonville, North Carolina. On May 1, 2013, he was diagnosed with a hernia. These medical issues have prevented Howard from completing the substance abuse counseling and the remaining term of custody.

Therefore, we are recommending the defendant's term of supervision be extended 6 months to provide the defendant an opportunity to complete the unsatisfied conditions ordered by the court.

The defendant signed a Waiver of Hearing agreeing to the proposed extension of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows: That the term of supervision be extended 6 months from the expiration date of June 13, 2013 until December 12, 2013.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

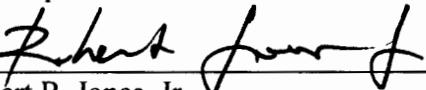
/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ C. Lee Meeks, Jr.
C. Lee Meeks, Jr.
U.S. Probation Officer
200 Williamsburg Pkwy, Unit 2
Jacksonville, NC 28546-6762
Phone: 910-347-9038
Executed On: June 6, 2013

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ORDER OF COURT

Considered and ordered this 6th day of June, 2013, and ordered filed and made a part of the records in the above case.



Robert B. Jones, Jr.
U.S. Magistrate Judge